

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

C.R.No. 6085 of 2005

Date of decision : 7.11.2006.

Smt. Simar Pal Ahluwalia

.....Petitioner.

Versus

Gurdeep Singh Deol & Ors.

.....Respondents.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr.Kanwaljit Singh,Advocate
for the petitioner.

Mr. Vinod Arya, Advocate
for respondent No.1 and 2.

VINOD K. SHARMA,J.(ORAL)

The present revision petition has been filed against the order dated 1.10.2005 passed by the learned Civil Judge (Jr.Divn.),Panchkula vide which the application moved by the petitioner for re-examination of witness was declined as no other evidence was present on the said date, his evidence was ordered to be closed by order.

The learned counsel for the petitioner has not challenged the order vide which the application for re-examination has been declined. However, the learned counsel for the petitioner prays that in the interest of justice, he may be granted one opportunity to examine remaining witness of the defendant i.e. Sumer Chand an official from the Sub Registrar, Panchkula to prove the will propounded by him. Without going into the merits of the case, I feel that interest of justice would be served if the

petitioner is granted one opportunity to lead his entire evidence on payment of costs. Accordingly, the present revision is allowed. The impugned order is set aside and the petitioner is granted one last opportunity to lead his entire evidence on the date to be fixed by the trial Court, on payment of Rs. 5000/- as costs. It is also directed that the trial Court should render the assistance to summon the official witness.

7.11.2006
'sp'

(VINOD K. SHARMA)
JUDGE